

KRAMER LEVIN NAFTALIS & FRANKEL LLP

ROBERT N. HOLTZMAN  
PARTNER  
PHONE 212-715-9513  
FAX 212-715-8035  
RHOLTZMAN@KRAMERLEVIN.COM

July 8, 2013

VIA ECF

The Honorable Brian M. Cogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Morangelli, et al. v. Chemed Corporation, et al., 10 Civ. 0876 (BMC)

Dear Judge Cogan:

We represent defendant Roto-Rooter Services Company ("RRSC") in the above-captioned action. In accordance with Your Honor's Order of June 21, 2013, we write on behalf of all parties to update the Court regarding the progress of their mediation and settlement negotiations. The parties have reached an agreement in principle to resolve the claims asserted in this action and the closely-related arbitration. RRSC has received the necessary corporate approval and the parties have begun to draft a settlement agreement.

The parties propose the following schedule for finalizing the settlement and submitting it to the Court for preliminary approval: (i) the parties will finalize a settlement agreement for execution no later than August 9, 2013; and (ii) plaintiffs will file their proposed motion for preliminary approval no later than August 23, 2013.

Thank you for your consideration.

Respectfully submitted,

/s/ Robert N. Holtzman

Robert N. Holtzman

cc: Michael J.D. Sweeney, Esq. (via ECF)

1177 AVENUE OF THE AMERICAS NEW YORK NY 10036-2714 PHONE 212.715.9100 FAX 212.715.8000

990 MARSH ROAD MENLO PARK CA 94025-1949 PHONE 650.752.1700 FAX 650.752.1800

47 AVENUE HOCHE 75008 PARIS FRANCE PHONE (33-1) 44 09 46 00 FAX (33-1) 44 09 46 01

WWW.KRAMERLEVIN.COM